

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

United States

v.

Case No. 12-cr-37-01-SM

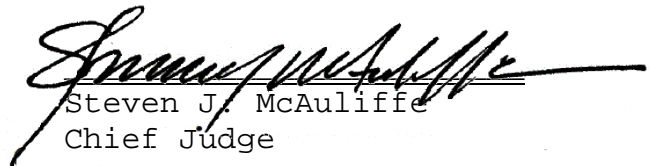
Daniel Hufstetler

ORDER

Re: Document No. 28, Motion to Suppress

Ruling: Denied. Having reviewed the transcript of the police interrogation of defendant, the pleadings filed by the parties, and the exhibits, the court finds that the government has proven by a preponderance of the evidence, that defendant was properly advised of his rights pursuant to Miranda v. Arizona, 384 U.S. 436 (1966), before he was questioned, that he understood those rights and knowingly and voluntarily waived those rights, as established by his own comments and as memorialized by the executed written waiver form, and that he did not invoke or assert his right to remain silent at any point after the interview began, and certainly did not do so unambiguously, and, finally, that Defendant's statements were entirely voluntary. Accordingly, those statements are admissible at trial.

Date: November 29, 2012

  
Steven J. McAuliffe  
Chief Judge

cc: Mark L. Sisti, Esq.  
John J. Farley, Esq.